1 2	James D. Petruzzi (Bar No. 115175) The Petruzzi Law Firm 4900 Woodway Dr., Suite 745	Marc H. Cohen (Bar No. 168773) Lien K. Dang (Bar No. 254221) KIRKLAND & ELLIS LLP 3330 Hillview Avenue	
3 4	Houston, TX 77056 Telephone: (713) 940-9993 Facsimile: (713) 877-9100 jdpetruzzi@gmail.com	Palo Alto, CA94304 Telephone: (650) 859-7000 Facsimile: (650) 859-7500	
5	Arthur S. Feldman	marc.cohen@kirkland.com lien.dang@kirkland.com	
6	Texas State Bar No. 06886600 BERG FELDMAN JOHNSON BELL, LLP 4203 Monstrose Blvd., Suite 150	Attorneys for Defendant TRIVASCULAR, INC.	
7	Houston, TX77006 Telephone: (713) 526-0200	TRIVASCULAR, INC.	
8	Facsimile: (832) 615-2665 afeldman@bfjblaw.com		
9 10	Attorneys for Plaintiff DR. SHAUN L. W. SAMUELS		
11	UNITED STATES DISTRICT COURT		
12	NORTHERN DISTRICT OF CALIFORNIA		
13	SAN FRANCISCO DIVISION		
14	DR. SHAUN L.W. SAMUELS,	Case No. 3:13-CV-02261-EMC	
15	Plaintiff,	JOINT REVISED [PROPOSED] SCHEDULING ORDER FOLLOWING	
16	vs.	CASE MANAGEMENT CONFERENCE	
17	TRIVASCULAR, INC.,		
18	Defendant.		
19	TRIVASCULAR, INC.,		
20   21	Counter-Claimant,		
22	vs.		
23	DR. SHAUN L. W. SAMUELS,		
24	Counter-Defendant.		
25		_	
26	Pursuant to the parties' stipulation and the Case Management Conference held on March 10,		
27	2015, IT IS HEREBY ORDERED THAT the Court adopts the following case management schedule:		
28			
	JOINT REVISED [PROPOSED] SCHEDULING ORDER FOLLOWING CASE MANAGEMENT	CASE NO. 3:13-cv-02261-EMC	

CONFERENCE

Event	Proposed Schedule
Parties Exchange Initial Disclosures	April 13, 2015
Amendment of Pleadings	April 13, 2015
Patent L.R. 3-1: Disclosure of Asserted Claims and Infringement Contentions	April 15, 2015
Patent L.R. 3-2: Document Production Accompanying Disclosure	April 15, 2015
Parties' deadline to hold Alternative Dispute Resolution process with JAMS	May 26, 2015
Patent L.R. 3-3, 3-4, and 3-5: Disclosure of Invalidity Contentions and Documents	June 4, 2015
Patent L.R. 4-1: Parties exchange proposed terms for construction	June 22, 2015
Patent L.R. 4-2: Parties exchange preliminary claim constructions and intrinsic and extrinsic evidence	July 13, 2015
Patent L.R. 4-2(c): Parties meet and confer in an attempt to narrow the issues in dispute	July 24, 2015
Patent L.R. 4-3: Parties file a Joint Claim Construction Prehearing Statement	August 3, 2015
Patent L.R. 4-4: Parties complete claim construction discovery	September 2, 2015
Patent L.R. 4-5: Plaintiff files opening claim construction brief	September 17, 2015
Patent L.R. 4-5: Defendant files responsive claim construction brief	October 5, 2015
Patent L.R. 4-5: Plaintiff files reply brief	October 16, 2015
P.R. 4-6: Claim Construction Hearing	October 26, 2015 at 2:30 p.m. and October 27, 2015 at 2:30 p.m. (if second day is needed)

11/3/15 at 10:00 a.m.

Note: Proposed deadlines from 4/13/15 to 7/13/15 have been completed.

### PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

**DATED:** 

7/17/15

• •



1	DATED: March 13, 2015	
2		
3	/s/ James D. Petruzzi	/s/ Marc H. Cohen
	James D. Petruzzi	Marc H. Cohen
4	The Petruzzi Law Firm 4900 Woodway Dr., Suite 745	Lien K. Dang KIRKLAND & ELLIS LLP
5	Houston, TX 77056	3330 Hillview Avenue
	Telephone: (713) 940-9993	Palo Alto, CA 94304
6	Facsimile: (713) 877-9100	Telephone: (650) 859-7000
7	jdpetruzzi@gmail.com	Facsimile: (650) 859-7500
´	A 4 0 E 11	marc.cohen@kirkland.com
8	Arthur S. Feldman Texas State Bar No. 06886600	lien.dang@kirkland.com
9	BERG FELDMAN JOHNSON BELL, LLP	Attorneys for Defendant
9	4203 Monstrose Blvd., Suite 150	TRIVASCULAR, INC.
10	Houston, TX 77006 Telephone: (713) 526-0200	IMVIBCOLIM, INC.
11	Facsimile: (832) 615-2665 afeldman@bfjblaw.com	
12	Attorneys for Plaintiff	
13	DR. SHAUN L. W. SAMUELS	
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		

28

#### **ATTESTATION OF CONCURRENCE IN FILING**

I, Marc H. Cohen, am the ECF User whose identification and password are being used to file this Joint Revised [Proposed] Scheduling Order. In compliance with Local Rule 5-1(i)(3), I hereby attest that Arthur Feldman of Berg Feldman Johnson Bell has concurred in this filing.

DATED: March 13, 2015 /s/ Marc H. Cohen

Marc H. Cohen Lien K. Dang KIRKLAND & ELLIS LLP 3330 Hillview Avenue Palo Alto, California 94304 Telephone: (650) 859-7000 Facsimile: (650) 859-7500 marc.cohen@kirkland.com lien.dang@kirkland.com

Attorneys for Defendant TRIVASCULAR, INC.

2

4

5

7

6

9

8

1011

12

13

1415

16

17

18

19

20

2122

23

24

2526

27

28

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 13, 2015 that a copy of the foregoing document is being electronically filed with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system, which will send notice of such filing to all counsel of record.

DATED: March 13, 2015 /s/ Marc H. Cohen

Marc H. Cohen Lien K. Dang KIRKLAND & ELLIS LLP 3330 Hillview Avenue Palo Alto, California 94304 Telephone: (650) 859-7000 Facsimile: (650) 859-7500 marc.cohen@kirkland.com lien.dang@kirkland.com

Attorneys for Defendant TRIVASCULAR, INC.